

# OFFICIAL GAZETTE

OF THE

## EUROPEAN COAL & STEEL COMMUNITY

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# THE HIGH AUTHORITY

## DECISIONS

**DECISION No. 2/56, of February 1, 1956, concerning the amount and mode of application of the compensation levy provided for by Decision No. 1/53, of February 7, 1953**

### THE HIGH AUTHORITY,

HAVING regard to Sections 25 and 26 of the Convention containing the Transitional Provisions;

HAVING regard to Decision No. 1/53, of February 7, 1953 (*Official Gazette of the Community, February 10, 1953, p. 4*);

HAVING regard to Decision No. 3/55, of February 8, 1955 (*Official Gazette of the Community, February 8, 1955, p. 81*);

WHEREAS Section 25, second paragraph, fixes a descending upper limit for the compensation levy;

WHEREAS the compensation levy is based on the average receipts of the coal producers in the German Federal Republic and the Netherlands, and the most recent figures furnished by the associations of enterprises to the High Authority are those for the third quarter of 1955;

WHEREAS the assistance needed by the coalmining enterprises in Belgium during the fourth year of the operation of the Common Market necessitates, under present conditions, a levy of 0·6% on the receipts specified above;

### DECIDES:

#### *Article 1*

The enterprises referred to in Decision No. 1/53, of February 7, 1953, shall, in accordance with the provisions of that decision, pay a levy fixed at the following amounts per metric ton:

Enterprises in the German Federal Republic	...	...	29·1 pfennigs;
Enterprises in the Kingdom of the Netherlands	...	...	29·9 cents.

#### *Article 2*

Where enterprises show the levy fixed in Article 1 above separately in their schedules, such amounts must be calculated differently for coal and briquettes on the one hand and coke on the other, to allow for the loss of weight in coking.

#### *Article 3*

The time-limit of five days prescribed in Article 4,1 of Decision No. 4/53, regarding the applicability of price-schedules and terms of sale, shall be reduced to one day for the first application of the provision contained in Article 2 above.

#### *Article 4*

Assessments on the basis of the new levy rates as laid down in Article 1 above shall begin on February 10, 1956.

Accordingly, enterprises shall, on March 25, 1956, pay the levy provided for in Article 1 of Decision No. 3/55, of February 8, 1955, in respect of one-third of the tonnage recorded by them for February, 1956, and the levy provided for in Article 1 above in respect of two-thirds of the tonnage recorded for February, 1956.

#### *Article 5*

This decision shall come into force within the Community on February 10, 1956. Decision No. 3/55, of February 8, 1955, shall cease to be in force as from that date.

This decision was deliberated and adopted by the High Authority at its session on February 1, 1956.

For the High Authority,  
RENÉ MAYER,  
*President.*

### **INFORMATION**

**Letter addressed by the High Authority on February 2, 1956, to the Government of the Kingdom of Belgium concerning the reduction of compensation rates on Belgian coal**

MY DEAR MINISTER,

In accordance with Section 25, second paragraph, of the Convention containing the Transitional Provisions, the upper limit of the compensation levy for the fourth year of the transition period is to be lowered from the present rate of 0·9 % to 0·6 % of the receipts referred to in Section 25, first paragraph. At the same time, the High Authority is aware, from its estimates of requirements, that compensation will be necessary right up to that limit. It has, therefore, in a decision of today's date, fixed upon that basis the levy rates to apply from February 10 next in respect of coalmining enterprises in Germany and the Netherlands.

Furthermore, the High Authority has the honour to inform you that, after taking the matter up with your Departments, it has decided to make a uniform reduction of one-third, as from February 10 next, in the compensation rates in force up to that date, as fixed in the High Authority's letters of May 28 and November 15, 1955, to the Belgian Government. Experience so far in connection with the compensation arrangements, as amended on June 16, 1955, does not lead the High Authority to regard further alterations as advisable. It is, however, making inquiries into the costs and receipts of the Belgian collieries, in order to ascertain how the smaller compensation funds available for the remainder of the transition period can most effectively be employed towards achieving the objectives listed in Section 26,2 of the Convention.

The High Authority intends to complete these inquiries by not later than October 31 next. The compensation rates fixed in the Annex hereto therefore apply only up to that date. The High Authority would, in addition, point out that the principles set forth in its letter of May 28, 1955, concerning the reorganization of the compensation scheme, still hold good.

I have, &c.

ANNEX TO LETTER TO BELGIAN GOVERNMENT, FEBRUARY 2, 1956

*Table of compensation rates on Belgian coal, by grades*

Grades	Size in mm.	TYPES						
		Gras			$\frac{3}{4}$ -gras	$\frac{1}{2}$ -gras	$\frac{1}{4}$ -gras	Maigres
		A	B					
			1	2				
Schlamms		29	—	29	29	23	5	5
Poussiers bruts	{ 0/2	22	—	22	22	30	5	5
	{ 0/5	9	—	9	9	23	5	5
Mixtes		19	—	19	19	12	5	5
Fines Lavées	{ 0/5-0/6	—	—	—	—	—	5	5
	{ 2/5-2/6	—	—	—	—	22	5	5
	{ 4/6	—	—	—	—	—	5	5
	{ 0/10	23	10	37	29	27	5	5
	{ 5/10-6/12	43	12	43	43	55	5	5
	{ 10/18-10/20	46	12	53	59	99	—	—
Classées	{ 12/22	—	—	—	—	15	—	—
	{ 18/30-20/30	47	27	61	31	—	—	—
	{ 30/50	61	33	74	64	—	—	—
	{ 50/80	61	33	74	64	—	—	—
Criblés	{ 80/120	37	20	51	—	—	—	—
	{ > 80 mm.	37	20	51	64	—	—	—

N.B.—The rates shown for charbons gras B, column 1, apply to collieries covered by the definition given in the letter addressed by the High Authority to the Belgian Government on May 28, 1955. The rates shown in column 2 of Type *gras B* apply to all other enterprises producing coal of this type.

**Letter addressed by the High Authority on February 2, 1956, to the Government of the Italian Republic concerning the lowering of the upper limit of Customs duties payable on Community coke imported into Italy**

YOUR EXCELLENCY,

In accordance with Section 27 of the Convention containing the Transitional Provisions, the upper limit of the Customs duties payable on Community coke entering Italy must be reduced in the fourth year of the transition period to 8.25%, such duties being subject to authorization by the High Authority.

Recent examination of the position of the Italian coking-plants has led the High Authority to conclude that Customs protection is still necessary to ensure the progressive integration of Italian coke into the Common Market.

I have, therefore, the honour to inform you that the High Authority authorizes the Italian Government to charge a maximum duty of 8.25% on the coke concerned, as from February 10, 1956.

I have, &c.

*List of Associations of Enterprises complying with the conditions set forth in Article 48, third paragraph, of the Treaty<sup>(1)</sup>*

- BELGIUM:** Fédération des Associations Charbonnières de Belgique,  
62, rue Royale,  
Brussels  
Comité de la Sidérurgie Belge,  
47, rue Montoyer,  
Brussels
- FRANCE:** Association des Producteurs des Industries Sidérurgiques  
Françaises,  
7, rue de Madrid,  
Paris  
Association des Producteurs de Minerai de Fer,  
15bis, rue de Marignan,  
Paris
- GERMANY:** Unternehmensverband Ruhrbergbau,  
Glückaufhaus,  
Essen  
Unternehmensverband des Aachener Steinkohlenbergbaus,  
e.V.,  
Goethestrasse 5,  
Aachen
- ITALY:** Associazione Industrie Siderurgiche Italiane,  
Corso Porta Romana 7,  
Milan  
Associazione Mineraria Italiana,  
Via Sardegna 14,  
Rome
- NETHERLANDS:** De Vereniging van de Nederlandse IJzer- en Staal-  
producerende Industrie,  
IJmuiden  
De Gezamenlijke Steenkolenmijnen in Limburg,  
Dr. Poelsstraat 16,  
Heerlen
- SAAR:** Association des Producteurs de la Siderurgie Sarroise,  
47-49, Bahnhofstrasse,  
Saarbrücken

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<sup>(1)</sup> Article 48, third paragraph, of the Treaty reads as follows:

“The High Authority shall normally call upon producers' associations to obtain information which it requires, or to facilitate the fulfilment of its objectives, provided that the associations in question either permit the properly-chosen representatives of the workers and consumers to participate in the direction of these associations or in consultative committees attached to them, or in any other way give a satisfactory place in their organization to the expression of the workers' and consumers' interests.”

# THE COURT OF JUSTICE

## OFFICIAL NOTICES

### **Complaint by Monsieur René Bourgaux against the Common Assembly of the European Coal and Steel Community, January 12, 1956**

(Case No. 1/56)

On January 12, 1956, a complaint was lodged before the Court of Justice, against the Common Assembly of the European Coal and Steel Community, by Monsieur René Bourgaux, residing in Luxembourg, represented by Maître Henri Rolin, barrister at the Court of Appeal in Brussels, and Maître Pierre Chareyre, barrister at the French Council of State and Supreme Court of Appeal in Paris, with elected domicile at the office of Maître Margue, barrister, of 6 rue Alphonse-München, Luxembourg.

Monsieur Bourgaux, formerly under contract to the Common Assembly of the European Coal and Steel Community, appeals to the Court to reverse the decision taken by the Bureau of the Common Assembly on November 25, 1955, to abolish the post held by him, and the decision of the President not to renew his contract upon its expiry on December 31, 1955.

*ISSUE No. 3, FIFTH YEAR, DATED FEBRUARY 14, 1956*

## THE HIGH AUTHORITY

### INFORMATION

#### **Communication from the High Authority of the European Coal and Steel Community to Associations of Enterprises coming under the Community's jurisdiction**

*(Article 48 of the Treaty)*

In a letter addressed to the President of the Consultative Committee on February 11, 1956, the High Authority requested the Committee to proceed to the consultations prescribed in Article 61, subparagraph (a) of the Treaty

—regarding the advisability of fixing maximum prices for coal within the Common Market as from April 1, 1956;

—regarding the level at which these prices should be fixed.

The Associations of Enterprises coming under the jurisdiction of the Community have, under Article 48, second paragraph of the Treaty, the right to submit to the High Authority the observations of their members on the points for discussion.

Any such observations should reach the High Authority not later than February 24, 1956.

E. P. WELLENSTEIN,  
*Acting Secretary, High Authority.*

Luxembourg, February 11, 1956.



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